

ACTIVITY**2****Document-Based Activities****Forming the Constitution****Using Source Materials**

HISTORICAL CONTEXT In May 1787, delegates from the 13 former colonies met to discuss the weaknesses in the Articles of Confederation. Four months of debate led to the creation of a new document—the U.S. Constitution.

TASK

Using information from the documents in Part A and your knowledge of U.S. history, answer the questions that follow each document. Your answers to the questions will help you write the Part B essay, in which you identify two weaknesses in the Articles of Confederation, and show how they were solved by the Constitution, and identify a weakness that still remained in the U.S. Constitution when it was ratified.

PART A

DIRECTIONS Read and examine the following documents. Underline key words and make notes in the margin if you wish. Then answer the questions using complete sentences.

DOCUMENT 1

Before You Read: The following words in the document below may be new to you: *corrupt*, *obviate*, *emit*, *currency*, *facilitate*. You may want to look them up in a dictionary.

The confederation . . . [was] formed under very unfavorable circumstances. We had just emerged from a corrupted monarchy . . . most of us were ignorant of . . . republics . . .

Most of the present difficulties of this country arise from the weakness and other defects of our governments . . .

A convention is to sit soon for the purpose of devising means of obviating . . . defects that have been mentioned. But I wish to add to their recommendations to each state to surrender up to Congress their power of emitting money. In this way a uniform currency will be produced that will facilitate trade . . .

—Benjamin Rush in “Address to the People of the United States”
before the Constitutional Convention began in Philadelphia, May 1787

1a. Under what circumstances were the Articles of Confederation formed? Explain.

1b. Why did Rush want the states to surrender their power of emitting money?

Activity 2, Forming the Constitution, continued

DOCUMENT 2

Before You Read: The following words in the document below may be new to you: *cordial*, *hostility*, *administration*, *judicious*. You may want to look them up in a dictionary.

Let us therefore proceed to examine whether the people are not right in their opinion that a cordial Union, under an efficient national government, affords them the best security that can be devised against hostilities from abroad.

When once an efficient national government is established . . . the administration . . . and the judicial decisions of the national government will be more wise, systematical, and judicious than those of individual States.

—John Jay, 1787
The Federalist Papers, #3

2a. What advantage does Jay believe the U.S. Constitution can offer citizens?

2b. Why does Jay believe decisions should be made by a national government?

Activity 2, Forming the Constitution, continued

DOCUMENT 3

Before You Read: The following words in the document below may be new to you: *resolve*, *suffrage*, *proportion*, *inhabitants*. You may want to look them up in a dictionary.

2. Resolved that the rights of suffrage in the National Legislature ought to be proportioned . . . to the number of free inhabitants . . .
3. Resolved that the National Legislature ought to consist of two branches.
4. Resolved that the members of the first branch of the National Legislature ought to be elected by the people of the several States . . .
5. Resolved that the members of the second branch of the National Legislature ought to be elected by the first . . .
6. Resolved that each branch ought to possess the right . . . to call forth the force of the Union against any member of the Union failing to fulfill its duty . . .

—The Virginia Plan for a new U.S. government,
presented to the Constitutional Convention, May 1787

3a. Under the Virginia Plan, how were each state's number of votes in the first branch of the National Legislature to be determined?

3b. What are some drawbacks to this plan?

Activity 2, Forming the Constitution, continued**DOCUMENT 4****State Populations in 1790**

State	Population
Virginia	747,550
Pennsylvania	433,611
North Carolina	395,005
Massachusetts	378,556
New York	340,241
Maryland	319,728
South Carolina	249,073
Connecticut	237,655
New Jersey	184,139
New Hampshire	141,889
Georgia	82,548
Rhode Island	69,112
Delaware	59,096

—US Bureau of Census, 1790

- 4a.** If each state were given one vote in a national legislature for every 30,000 of its citizens, about how many votes would Virginia get? About how many would Delaware get?

- 4b.** If every state got one vote in a national legislature, how many people would Pennsylvania's vote represent? How many people would Rhode Island's vote represent?

- 4c.** What plan would states with large populations prefer? What plan would states with small populations prefer? Why?

Activity 2, Forming the Constitution, continued

DOCUMENT 5

Before You Read: The following words in the document below may be new to you: *vest*, *compose*, *apportion*, *respective*. You may want to look them up in a dictionary.

Article 1

Section 1 All legislative powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives.

Section 2 1. The House of Representatives *shall be composed of members chosen every second year by the people of the several states . . .*

3. Representatives and direct taxes shall be apportioned among the several states . . . according to their respective numbers . . .

Section 3 1. The Senate of the United States shall be composed of two senators from each state . . .

—from the United States Constitution,
signed by the Constitutional Convention,
September 17, 1787

5a. How did the U.S. Constitution solve the issue of representation of the states in the national government?

Article 1

Section 8 The Congress shall have power . . .

To regulate commerce with foreign nations, and among the several States, and with the Indian tribes . . .

To coin money, regulate the value thereof, and of foreign coin, and fix the standard of weights and measures.

—from the United States Constitution,
signed by the Constitutional Convention,
September 17, 1787

5b. What two powers did the states hand over to the federal government through Article 1, Section 8?

Activity 2, Forming the Constitution, continued

DOCUMENT 6

Before You Read: The following words in the document below may be new to you: *sentiment, oblige, confound, instrument*. You may want to look them up in a dictionary.

I confess that I do not entirely approve of this Constitution at present, but Sir, I am not sure I shall never approve it: having lived long, I have experienced many Instances of being obliged . . . to change Opinions even on important Subjects, which I once thought right, but found to be otherwise . . .

In these Sentiments, Sir, I agree to this Constitution, with all its faults . . .

I think it will astonish our Enemies, who are waiting with Confidence to hear that our Councils are confounded . . . and that our States are on the Point of Separation . . . Thus, I consent, Sir, to this Constitution because I expect no better, and I am not sure it is not the best . . .

I cannot help expressing a wish, that every Member of the Convention, who may still have Objections to it, would with me on this Occasion . . . put his name to this instrument . . .

—Benjamin Franklin

to the Constitutional Convention on the day of its signing, September 17, 1787

6a. For what reasons did Franklin agree to the proposed Constitution?

6b. What did Franklin think the enemies of the United States expected of the Convention?

Activity 2, Forming the Constitution, continued

DOCUMENT 7

Before You Read: The following words in the document below may be new to you: *tyranny*, *conscience*, *immunity*, *franchise*, *render*. You may want to look them up in a dictionary.

If a wrong step be now made, the republic may be lost forever. If this new government will not come up to the expectation of the people . . . their liberty will be lost and tyranny must and will rise . . .

The rights of conscience, trial by jury, liberty of the press, all your immunities and franchises . . . are rendered insecure, if not lost, by this change . . .

But we are told that we need not fear because those in power being our representatives will not abuse the powers we put in their hands.

—Patrick Henry
speaking against ratification of the Constitution, June 1788

7a. What dangers does Henry see in ratifying the Constitution?

7b. What specific rights does Henry fear will be lost?

Activity 2, Forming the Constitution, continued

DOCUMENT 8

Before You Read: The following words in the document below may be new to you: *recurrence, captivate, omission*. You may want to look them up in a dictionary.

I like much the general idea of framing a government which should go on of itself peaceably . . . without needing continual recurrence to the state legislature. I like the organization of the government into legislative, judiciary, and executive . . . I am captivated by the compromise of the opposite claims of the great and little states . . .

I will now tell you what I do not like. First, the omission of a bill of rights, providing clearly . . . for freedom of religion, freedom of the press, protection against standing armies, . . . and trials by jury . . .

Let me add that a bill of rights is what the people are entitled to . . . and what no just government should refuse . . .

—Thomas Jefferson, writing to James Madison,
December 20, 1787

8a. What was Jefferson's main objection to the Constitution?

8b. What does Jefferson believe just governments owe to their people?

Activity 2, Forming the Constitution, continued

Writing a Document-Based Essay

PART B

DIRECTIONS Write a well-organized essay that includes an introduction, a body of several paragraphs, and a conclusion. Use evidence from at least *four* documents in Part A to support your response. You may draw on any additional knowledge you have acquired about the subject.

HISTORICAL CONTEXT In May 1787, delegates from the 13 former colonies met to discuss the weaknesses in the Articles of Confederation. Four months of debate led to the creation of a new document—the U.S. Constitution.

TASK

Using information from the documents in Part A and your knowledge of U.S. history, write an essay in which you:

- identify two weaknesses in the Articles of Confederation and show how they were solved by the Constitution
- identify a weakness that still remained in the U.S. Constitution when it was ratified

GUIDELINES

In your essay, be sure to:

- Provide a thorough response to the Task. Be sure to cover all parts of the assignment.
- Include specific information from at least *four* of the sources in your Part A.
- Incorporate relevant information you remember from your textbook and class work.
- Organize your essay in a clear and logical way.
- Support your statements with facts and information that address the topic.
- Write a conclusion that sums up your ideas.

Note: Do not simply restate the Task or Historical Context. Your essay should include more information.

Activity 1: The American Revolution

DOCUMENT 1

- 1a.** Abigail Adams is hoping to hear from her husband, John Adams, that the colonies have declared themselves independent from Britain.
- 1b.** Ms. Adams wants her husband and the other men at the Continental Congress to extend greater rights to women than have been extended in the past.

DOCUMENT 2

- 2a.** During the American Revolution, women took many jobs over from men, including weaving, carpentry, blacksmithing, nursing, and shipbuilding.
- 2b.** Deborah Sampson managed to enlist in the army despite the ban on women by disguising herself as a man.

DOCUMENT 3

- 3a.** The man in front of the wheel appears to be passed out, and is therefore the likeliest person in the painting to be Molly Pitcher's husband.
- 3b.** Possible answer: Molly Pitcher is depicted as courageous, holding a sponge, or rammer, to clean the cannon between firings. She is urging the troops on.

DOCUMENT 4

- 4a.** In referring to a tax on tea as being the cause of the troubles mentioned in the passage, it seems likely that Runt is alluding to the Boston tea party.
- 4b.** Possible answer: Mrs. Flourish expresses her anger at the French in the passage, without whom, she indicates, "this rebellion [meaning the Revolution] would have been crushed long before." It would seem, then, that Mrs. Flourish is not a Patriot, but rather a Loyalist.

DOCUMENT 5

- 5a.** The Militia Act of 1775 affected all free male persons, hired servants, and apprentices between the ages of 16 and 50.

- 5b.** Many runaway slaves managed to serve in the Revolution despite the ban on slaves by claiming to be freemen. Because the army needed more soldiers, very few questions were asked of these men, and most were allowed to serve.

DOCUMENT 6

- 6a.** On the left-side of the painting, the African American man firing his rifle is Peter Salem. This can be deduced from the title of the painting, and from the appearance that the Major has taken a shot from that particular individual's rifle.
- 6b.** Salem is on the side of the Patriots; Pitcairn is on the side of the British. You can tell by the flags on each side.

DOCUMENT 7

- 7a.** Foreign officers were welcomed into the Continental Army because they brought with them badly needed professional military knowledge and competence.
- 7b.** Louis DuPortail (France) and Thaddeus Kosciuszko (Poland) advanced the army's engineering capabilities. Johann de Kalb and Friedrich Wilhelm von Steuben (Germany) and Marquis de Lafayette (France) provided training and leadership.

DOCUMENT 8

- 8a.** The British and French were enemies. If the French were sending troops to help the Americans, it would make it harder for the British to fight against two armies instead of one.
- 8b.** He draws them with funny faces. Maybe it would make the British less afraid of the French.

Activity 2: Forming the Constitution

DOCUMENT 1

- 1a.** Rush believed that the Articles of Confederation were written under unfavorable circumstances. The new nation had just emerged from a corrupt

monarchy and most of the nation's citizens were inexperienced statesmen.

- 1b.** Rush wanted the states to relinquish their right to produce their own money because he believed a single currency would make trade easier and promote unity.

DOCUMENT 2

- 2a.** Jay believes that the U.S. Constitution offers the American people the advantage of a “cordial Union, under an efficient national government,” and therefore, “the best security that can be devised against hostilities from abroad.”
- 2b.** Jay believes that decisions made by a national government will be “more wise, systematical, and judicious” than decisions made by the states individually.

DOCUMENT 3

- 3a.** Under the Virginia Plan, seats, and therefore votes, in the national legislature would have been apportioned by a state's population of free inhabitants.
- 3b.** Possible answer: States with small populations would have had little influence over national legislation.

DOCUMENT 4

- 4a.** Virginia would be allotted 25 votes under such a plan, while Delaware would be allotted only 2.
- 4b.** Under such a plan, Pennsylvania's 1 vote would represent 433,611 people, while Rhode Island's 1 vote would represent only 69,112 people.
- 4c.** Possible answer: It is likely that each state would be trying to maximize its influence in the national legislature and that therefore states with large populations would have preferred the plan from question 4a, while states with small populations would have preferred the plan from question 4b.

DOCUMENT 5

- 5a.** The U.S. Constitution solved the issue of representation of states in the national government by creating a bicameral, or two-house, legislature. The lower house would be filled proportionally based on a

state's population, while the upper house would consist of two members from each state.

- 5b.** Article I, Section 8 of the U.S. Constitution compelled states to relinquish the right to enter into trade negotiations with foreign nations, and to coin money.

DOCUMENT 6

- 6a.** Franklin agreed to the proposed Constitution because he was not certain that it was not a poor plan.
- 6b.** Franklin believed that the enemies of the United States were expecting the Constitutional Convention to end in failure.

DOCUMENT 7

- 7a.** Patrick Henry saw in ratifying the Constitution the danger that people would lose their liberties and that tyranny would take their place.
- 7b.** Specifically, Patrick Henry feared that the rights of free speech, trial by jury, and a free press would be lost if the Constitution were to be ratified.

DOCUMENT 8

- 8a.** Jefferson believed a bill of rights should have been included that specifically guaranteed certain freedoms, like freedom of the press and freedom of religion.
- 8b.** Jefferson believed that all just governments owed their people a bill of rights that protects their freedoms.

Activity 3: The Bill of Rights

DOCUMENT 1

- 1a.** Before passage of the English Bill of Rights, the King could punish those who came before him with requests.
- 1b.** Cruel and unusual punishments gave the King tremendous power over his subjects. Those who did not do as he wished could be tossed in jail with no hope of getting out, or even tortured. By outlawing these things, people no longer needed to fear irrational punishments and could approach the King on a more equal footing.